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16 Oct '68

MEMORANDUM FOR: Special Support Assistant/DDS

SUBJECT : Overseas Travel Rights

REFERENCE : Memo dtd 5 Oct 68 to D/Pers fr SEA/DDS, subject: Adoption of Foreign Affairs Manual 782.1

1. As the Referent Memorandum indicates, there is a significant difference between Agency and State regulations governing the payment of travel and transportation benefits to employees who separate before completing a prescribed overseas tour of duty.

a. FAM 782.1 provides that the Department may authorize travel expenses for employees separating from the Foreign Service if any one of six circumstances are applicable, inter alia, if the employee separates after he has served five years in the Foreign Service. FAM 782 also provides the six service requirements may be waived when acceptance of a resignation is in the interest of the Government.

b. [REDACTED] requires the completion of a service agreement by each employee going overseas. The agreement stipulates that he will repay any expenses incurred in travel to an overseas post if he fails to remain at his assigned post for a period of one to three years as prescribed in advance by the Director of Personnel. [REDACTED] also requires the Director of Personnel to determine when an agreement is breached.) [REDACTED] is a companion piece which denies return travel rights upon separation abroad if the service agreement is breached.

2. In order to determine whether the difference in coverage between Agency and State regulations is necessary or desirable, certain preliminary considerations should be mentioned.

a. The Agency has sought to provide through adoptive action the benefits available to employees of other agencies when necessary (relevant, economically feasible and in the interest of Agency needs).

b. The Administrative Task Force proposal for the establishment of a uniform policy and procedure for prescribing overseas tours other than 24 months when necessary is germane to any policy revision of return travel rights. It recommended that overseas return travel

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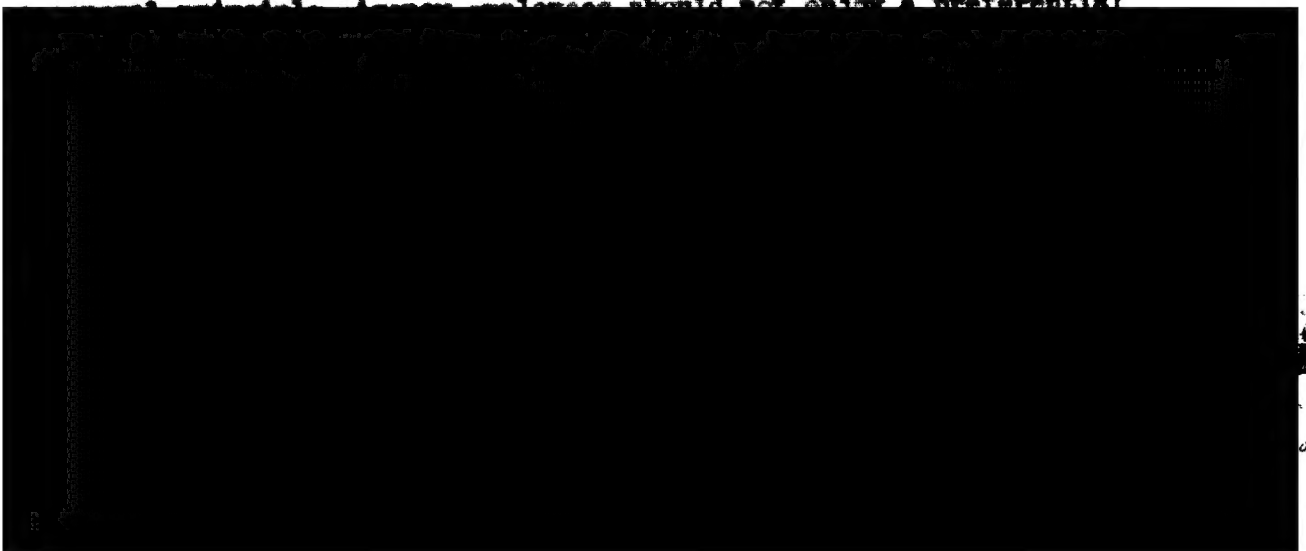
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rights and home leave travel, which is now based on two years for an initial tour and no specified length for subsequent tours, be tied together by conditioning both types of overseas travel benefits (except for retirees) upon the satisfaction of an overseas tour prescribed in advance and explained to the employee before his departure.

3. Deciding when to allow return travel at Government expense or to require a repayment of expenses for travel to an overseas post, has always been administratively difficult, principally because Government interest in the return travel is so often involved. Moreover, the Government's interest is frequently largely or partially derivative from a personal interest or action of the individual affected, rather than resulting from the Agency's desire to use the employee elsewhere. An OP short-of-tour study, in 1966, disclosed that six of 203 persons returned short-of-tour in CY 1966 were required to pay their own return travel. The consensus of officials contacted during the study favored continuance of the Agency's requirement that individuals returning short-of-tour for other than strictly official reasons should be required to pay their travel and transportation costs. There was, however, something less than uniformity in thinking on this subject among the officials, and varying interpretations from leniency to strictness have occurred in the past. The study points up the need to establish a policy that is commonly understood, preferably agreed to, and, if not the latter, at least generally enforced.

4. The existence of a more liberal system in State than in the Agency should not be controlling in reaching a decision whether or not to continue the Agency's current policy on overseas travel rights. As

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5. This Office is also concerned about following the section in FAM 782.1, which permits an employee on a second or subsequent overseas tour to receive return travel expenses after he completes one year abroad (provided he has not had home leave within a year). We believe a policy basing return travel rights on one year, instead of two years, for employees on a second or subsequent tour should be avoided by the Agency in the interests of efficiency and economy. We also question the desirability of distinguishing between the overseas travel rights of employees who are on a first versus a second or subsequent tour.

6. We conclude from the above considerations that greater flexibility of administration and uniformity of understanding are needed in making decisions on return travel rights than now exist under the provisions of [REDACTED]

7. Instead of the present authority given to Director of Personnel in [REDACTED] to determine whether overseas agreements are breached, we recommend he be given authority to waive service requirements in individual cases when in the Government's interest (similar to the authority now contained in FAM 782.1).

8. Subject to the agreement of your Office, we prefer to defer the initiation of a regulatory change in the Travel series incorporating the above recommendation until the policy questions contained in Proposal 2 and 10 of the Task Force are resolved. At that time the several changes contemplated in the Travel regulations could be concluded in a single revision.

Robert S. Wattles  
Director of Personnel

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OP/PAD, [REDACTED] dmm (16 October 1968)

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